The Hon'ble Sri Justice Nooty Ramamohana Rao

Writ Petition No.11309 of 1997

Dated 19th December 2006

Between:

Kommu Chandraiah and 7 others .. Petitioners

And

Mandal Revenue Officer, Medchal Mandal, Ranga Reddy District and 3 others

.. Respondents

The Hon'ble Sri Justice Nooty Ramamohana Rao

Writ Petition No.11309 of 1997

Order:

This writ petition has been instituted seeking a declaration that the action of the 1st respondent- Mandal Revenue Officer, Medchal in assigning the land of an extent of Acres 3-20 cents situated in Sy.Nos.222, 223 and 224 of Yadaram village, Medchal Mandal, Ranga Reddy District in favour of the 4th respondent without showing any boundaries and, thus, causing interference with the right of the writ petitioners to put to effective use the land assigned earlier in their favour, as bad in law.

The writ petitioners have asserted that they were granted patta certificates in proof of assignment of land in their favour. Unfortunately, while granting those pattas, the total extent of land assigned in favour of each one of the writ petitioners is noted, but the boundaries of the land so assigned has not been noted. Merely by mentioning the survey numbers as 222, 223 or 224 and the total extent of land assigned will not be of any consequence inasmuch as it might lead to overlapping of the actual land which has been assigned to one, with the other. Unfortunately, while assigning the land in favour of the 4th respondent, the same error has crept in resulting in confusion amongst the writ petitioners on one hand and the 4th respondent on the other. Understandably, this has caused consternation in the minds of the writ petitioners and they instituted this writ petition.

When this case came up for hearing on the previous occasion i.e.

on 20-11-2006, I directed the Mandal Revenue Officer to be present in the Court with all the necessary records to apprise me of the measures taken by him to prevent any irregularities being committed in the matter of use and enjoyment of the land assigned in favour of the writ petitioners on one side and the 4th respondent, in particular, on the other or any other individuals. Thereafter, the Mandal Revenue Officer, Medchal Mandal had placed a brief note indicating the complete details as to the survey numbers and the respective extents of land assigned in favour of the writ petitioners as well as the 4th respondent falling within those survey numbers. He had also specifically asserted that he had visited the village and the site in question and found that the petitioners as well as the 4th respondent including some of the legal representatives of the deceased assignees were cultivating their respective extents of lands and that they were raising crops such as paddy, red gram and maize as the case may be and that they were not threatening to breach the peace in the locality. Therefore, the Mandal Revenue Officer has pointed out that the lapse of not describing the boundaries of the land assigned in favour of the writ petitioners and the 4th respondent has not lead to any practical problem including the overlapping of the extents of land or the undue interference of one with the other.

In view of this statement, duly placing on record the note submitted by the Mandal Revenue Officer dated 09-12-2006, I dismiss the writ petition as the cause no longer survives for adjudication. No costs.

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(Nooty Ramamohana Rao, J)

19th December, 2006.

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